

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201

Hearing Date: March 29, 2017

Hearing Time: 10:00 A.M.

Objection Deadline: March 28, 2017

Objection Time: 12:00 P.M.

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ABN AMRO BANK N.V. (presently known as THE
ROYAL BANK OF SCOTLAND, N.V.),

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 11-02760 (SMB)

**NOTICE OF TRUSTEE'S
REQUEST FOR
CERTIFICATION OF
JUDGMENT FOR DIRECT
APPEAL TO THE UNITED
STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT
PURSUANT TO 28 U.S.C.
§ 158(d)(2) AND FED. R.
BANKR P. 8006(f)**

PLEASE TAKE NOTICE that Irving H. Picard, as trustee (“Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the substantively consolidated estate of Bernard L. Madoff, by and through his undersigned counsel, will move before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, for certification of the Stipulated Final Order Granting Motion to Dismiss (*see Picard v. ABN AMRO Bank, N.V.*, Adv. Pro. No. 11-02760, ECF No. 74), for direct appeal to the United States Court of Appeals for the Second Circuit pursuant to 28 U.S.C. § 158(d)(2) and Fed. R. Bankr. P. 8006(f) on **March 29, 2017 at 10:00 a.m.**

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion shall (i) be in writing; (ii) conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the United States Bankruptcy Court for the Southern District of New York; (iii) specify the name of the objecting party and state with specificity the basis of the objection(s) and the specific grounds therefor; (iv) be filed in accordance with the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York, with proof of service and a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein, One Bowling Green, New York, New York 10004; and (v) be served upon each of the following: (a) counsel to the Trustee, Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan, Esq., dsheehan@bakerlaw.com; (b) counsel to the Securities Investor Protection Corporation, 1667 K Street, N.W., Suite 1000, Washington, D.C. 20006, Attn: Kevin H. Bell, Esq., so as to be received no later than **12:00 p.m. on March 28, 2017.**

PLEASE TAKE FURTHER NOTICE that Notice of the Motion will be provided by U.S. Mail, postage prepaid or email to all parties to this adversary proceeding. The Trustee submits that no other or further notice is required.

Dated: March 14, 2017
New York, New York

By: /s/ David J. Sheehan
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: 212.589.4200
Facsimile: 212.589.4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Regina L. Griffin
Email: rgriffin@bakerlaw.com
Stacy Dasaro
Email: sdasaro@bakerlaw.com

Baker & Hostetler LLP
65 E. State St., Suite 2100
Columbus, Ohio 43215-4260
Telephone: (614) 228-1541
Facsimile: (614) 462-2616
Lauren M. Hilsheimer
Email: lhilsheimer@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*